

DOCUMENTS UNDER SEAL ☐

DOCUMENT NUMBER:

<b>MAGISTRATE JUDGE</b> <b>MINUTE ORDER</b>	DEPUTY CLERK Ivy Lerma Garcia	REPORTER/FTR FTR 8/8/07 10:41:46-11:03:49
MAGISTRATE JUDGE HON. WAYNE D. BRAZIL	DATE 8/8/07	NEW CASE <input type="checkbox"/> CASE NUMBER 4-07-70462-WDB

## APPEARANCES

DEFENDANT BENJAMIN GARRISON CLAYTON	AGE	CUST Yes	P/NP P	ATTORNEY FOR DEFENDANT John Paul Reichmuth	PD. <input checked="" type="checkbox"/> RET. <input type="checkbox"/> APPT. <input type="checkbox"/>
U.S. ATTORNEY Maureen Bessette	INTERPRETER None	<input type="checkbox"/> FIN. AFFT SUBMITTED		<input type="checkbox"/> COUNSEL APPT'D	
PROBATION OFFICER None	PRETRIAL SERVICES OFFICER Amy Berthelsen	DEF ELIGIBLE FOR APPT'D COUNSEL <input type="checkbox"/>		PARTIAL PAYMENT OF CJA FEES <input type="checkbox"/>	

## PROCEEDINGS SCHEDULED TO OCCUR - (IF NOT HELD, TYPE NH IN TIME FIELD)

<input type="checkbox"/> INITIAL APPEAR time	<input type="checkbox"/> PRELIM HRG time	<input type="checkbox"/> MOTION time	<input type="checkbox"/> JUGMT & SENTG time	<input type="checkbox"/> STATUS time
<input type="checkbox"/> I.D. COUNSEL time	<input type="checkbox"/> ARRAIGNMENT time	<input type="checkbox"/> BOND SIGNING time	<input type="checkbox"/> IA REV PROB. or S/R time	<input type="checkbox"/> BAIL REVIEW time
<input checked="" type="checkbox"/> DETENTION HRG time	<input checked="" type="checkbox"/> ID/REMOVAL HRG time	<input type="checkbox"/> CHANGE PLEA time	<input type="checkbox"/> PROB. REVOC. time	<input type="checkbox"/> SUP REL HRG time

## INITIAL APPEARANCE

<input type="checkbox"/> ADVISED OF RIGHTS	<input type="checkbox"/> ADVISED OF CHARGES	<input type="checkbox"/> NAME AS CHARGED IS TRUE NAME	<input type="checkbox"/> TRUE NAME: AUG 8 - 2007
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## ARRAIGNMENT

<input type="checkbox"/> ARRAIGNED ON INFORMATION	<input type="checkbox"/> ARRAIGNED ON INDICTMENT	<input type="checkbox"/> READING WAIVED SUBSTANCE	<input type="checkbox"/> WAIVER OF RIGHTS RICHARD W. WIEKING CLERK, U.S. DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA OAKLAND
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## RELEASE

<input type="checkbox"/> RELEASED ON O/R	<input type="checkbox"/> ISSUED APPEARANCE BOND	AMT OF SECURITY \$	SPECIAL NOTES	<input type="checkbox"/> PASSPORT SURRENDERED DATE
PROPERTY TO BE POSTED <input type="checkbox"/> CASH \$		CORPORATE SECURITY <input type="checkbox"/>	REAL PROPERTY: <input type="checkbox"/>	

<input type="checkbox"/> MOTION FOR DETENTION	<input type="checkbox"/> PRETRIAL SERVICES REPORT	<input checked="" type="checkbox"/> DETAINED	<input type="checkbox"/> RELEASED	<input checked="" type="checkbox"/> TIMING OF DETENTION HEARING AND FORMAL FINDINGS WAIVED BY THE DEFT.	<input checked="" type="checkbox"/> REMANDED TO CUSTODY
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ORDER REMOVED TO THE DISTRICT OF

## PLEA

<input type="checkbox"/> CONSENT ENTERED	<input type="checkbox"/> NOT GUILTY	<input type="checkbox"/> GUILTY	GUILTY TO COUNTS: <input type="checkbox"/>
<input type="checkbox"/> PRESENTENCE REPORT ORDERED	<input type="checkbox"/> CHANGE OF PLEA	<input type="checkbox"/> PLEA AGREEMENT FILED	OTHER:

## CONTINUANCE

TO: 8/17/07	<input type="checkbox"/> I.D. COUNSEL	<input type="checkbox"/> BOND SIGNING	<input type="checkbox"/> STATUS RE: CONSENT	<input type="checkbox"/> STATUS/TRIALSET
AT: 9:30 a.m.	<input type="checkbox"/> SUBMIT FINAN. AFFIDAVIT	<input checked="" type="checkbox"/> PRELIMINARY HEARING OR	<input type="checkbox"/> CHANGE OF PLEA	<input type="checkbox"/> BAIL REVIEW
BEFORE HON. JOSEPH C. SPERO	<input type="checkbox"/> DETENTION HEARING	ARRAIGN- MENT	<input type="checkbox"/> MOTIONS	<input type="checkbox"/> JUDGMENT & SENTENCING
<input type="checkbox"/> TIME WAIVED	<input type="checkbox"/> TIME EXCLUDABLE UNDER 18 § USC 3161	<input checked="" type="checkbox"/> IDENTITY/ REMOVAL OF DEFT. TO WESTERN DIST. OF TEXAS	<input type="checkbox"/> PRETRIAL CONFERENCE	<input type="checkbox"/> PROB/SUP.REL. REV. HEARING

## ADDITIONAL PROCEEDINGS

Identity Hrg. held. The govt's atty's Witness: FBI Spec. Agent Christopher Brown was called at 10:44 am; he was sworn in & govt's atty. conducted a direct exam. of the witness. At 10:45 am Govt's Exhibit 1 which is a photograph with identifying info. of Benjamin Garrison Clayton on the bottom received from FBI in Texas & at 10:52 am Govt's Exhibit 5 which is a Criminal History of Benjamin Garrison Clayton were both presented by the govt. to the Witness. Agent Brown identified the deft. in the courtroom. At 10:53, the deft's atty. cross-examined the Witness. The Court was satisfied that the standard has been met by the govt. & the govt. has established that the deft. is the deft. who is charged with the crim. Complaint & whom the authorities wanted in the Western Dist. of Texas, at Page 1. Based on insufficient evidence, the deft's atty. preserved his objections to the Court's Finding as to the deft's Identity.

cc: Karen H0m; WDB's Stats, Pretrial